

REMARKS/ARGUMENTS

By this Amendment claims 13 and 21 are canceled and claims 1-3, 5-12, 14 and 18-20 are amended. Claims 1-3, 5-12 and 14-20 are pending.

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

With respect to the Examiner's objections to the drawings of liquid line 10 in Figs. 1 and 2, the Applicants respectfully submit that it was not the intent of the Applicants to set forth shading under 37 C.F.R. 1.84(m) to illustrate the liquid line 10. It follows that it was not the Applicants' intent to set forth solid shading. Rather, the Applicants intended to illustrate liquid line 10 using drawing lines under 37 C.F.R. 1.84(l). Thus, the features identified as black shading by the Examiner are in fact drawing lines.

Accordingly, the Applicants respectfully request that the Examiner's objection to the drawings be withdrawn.

With respect to the Examiner's objection to the language of claim 1, the Examiner believes that there was an inconsistency between the language in the preamble and certain portions in the body of the claim. Thus, the Applicants have amended claim 1 to recite a fluidic system wherein the fluidic system includes at least one liquid line and a coupling device.

Accordingly, the Applicants respectfully request that the foregoing objection to claim 1 be withdrawn.

With respect to the Examiner's objection to the language of claim 18, the Examiner believes that the providing of the coupling device must be positively recited. Claim 18 has thus been amended.

With respect to the Examiner's rejection of claims 7, 8, 11, 12 and 14-17 under 35 U.S.C.

112 the Applicant submits the following. The at least one liquid line and the fluid system are now positively recited in amended claim 1. Therefore, the Examiner's objections to claims 7 and 12 are now believed to be moot. Additionally, claims 8, 11, 14 and 19-20 have been amended according to the Examiner's comments.

Accordingly, the Applicants respectfully request that the Examiner's objections under 35 U.S.C. 112 that the foregoing claims and the claims depending therefrom for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention to be withdrawn.

Anticipation Rejections over Schick and Johnston

Claims 1-3 and 5-19 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,267,143 (Schick). Additionally, claims 1, 18 and 20 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 4,995,646 (Johnston). These anticipation rejections are respectfully traversed as follows.

With respect to claim 1, the Examiner sets forth (with citations omitted herein) it has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation, but only requires the ability to so perform, and that it does not constitute a limitation in any patentable sense. The Examiner further sets forth that the prior art of Schick discloses the capability to perform the numerous "adapted to" functional recitations in claim 1 and that specific disclosure is not required for a rejection under 35 U.S.C. §102. The Examiner further sets forth that it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claim structural limitations.

Accordingly, the Applicants have amended claim 1 to remove all occurrences of the "adapted to" language objected to by the Examiner, and replaced them with positive recitations of the pertinent features of the claimed elements. For example, the "at least one bushing adapted to receive an end region" (emphasis added) has been replaced with "at least one bushing

receiving an end region” (emphasis added). Additionally, “a first sealing surface adapted to contact an external surface of the fluidic system” (emphasis added) has been replaced with “a first sealing surface in contact with an external surface of the fluidic system” (emphasis added). In the same manner, claim 1 has also been amended to include positive recitations rising to the level of limitations with respect to the clamping device pressing the bushing, the hollow plunger being movable in relation to the external surface, and the external shape of the bushing.

Accordingly, the Applicants submit that the foregoing positive recitations now function as positive limitations which the Examiner must consider in making any rejections under 35 U.S.C. §102.

Additionally, canceled claim 13 recited “wherein the fluidic block is arranged to be pressed onto the holding plate using a bayonet connector” (emphasis added). This language from claim 13 has been amended to recite “wherein the fluidic block is pressed onto the holding plate using a bayonet connector” (emphasis added). The Applicants submit that this change to the language from claim 13 removes any question of whether the feature wherein the fluidic block presses onto the holding plate using a bayonet connector is positively recited. Furthermore, the amended language from canceled claim 13 has been added to claim 1.

The Applicants further submit that this feature is not taught in Schick which, instead, teaches pressing the fluidic block onto the holding plate using rotatably advanced bolts.

Johnston, which in any event was not cited against claim 13 by the Examiner, also lacks a teaching of a bayonet connector pressing the fluidic block onto the holding plate. The cylindrical section 32 taught by Johnston is loosely received in the cylindrical portion 24 of the passage 22, and pressure is provided by a coupling nut member having threads which cooperate with threads on the body of the connector.

Accordingly, reconsideration and withdrawal of the anticipation rejections of claim 1 over Schick and Johnston are respectfully requested. Furthermore, reconsideration and

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withdrawal of the anticipation rejections of claims 2, 3, 5-12 and 14-20 are also respectfully requested since they depend directly or indirectly from claim 1 and are allowable for at least the same reasons as set forth with respect to claim 1.

Obviousness Rejection

Claim 21 stands rejected under 35 U.S.C. §103(a) as allegedly being obvious over Schick in view of U.S. Patent No. 6,077,015 (Leibmann). However, the Applicants submit that claim 21 ultimately depends from allowable claim 1 and is allowable for at least the same reasons as set forth with respect to claim 1. Accordingly, reconsideration and withdrawal of the obviousness rejection of claim 21 are respectfully requested.

For at least the reasons set forth above, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.


Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
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June 5, 2008

Please charge or credit our
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